

BROWDY AND NEIMARK, P.L.L.C.

ATTORNEYS AT LAW

PATENT AND TRADEMARK CAUSES

SUITE 300

624 NINTH STREET, N W

WASHINGTON, D C 20001-5303

TELEPHONE (202)-628-5197

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TELECOPIER FACSIMILE

(202) 737-3528

(202) 393-1012

E-MAIL

mail@browdyneimark.com

PATENT AGENT

ALLEN C. YUN, PH D

\*ADMITTED IN FL ONLY  
PRACTICE SUPERVISED BY  
PRINCIPALS OF THE FIRM

11046 U.S. PTO  
09/918725  
08/01/01

08/01/01  
11051 U.S. PTO

ALVIN BROWDY (1917-1998)  
SHERIDAN NEIMARK  
ROGER L BROWDY

ANNE M KORNBAU  
NORMAN J LATKER  
DIANA MICHELLE SOBO\*

OF COUNSEL

IVER P. COOPER  
JAY M. FINKELSTEIN

Hon. Assistant Commissioner for Patents  
Box Patent Appln  
Washington, D C 20231

Re New Continuation-in-Part Patent Application in U.S.  
Applicant: Akiyoshi TAKADA, et al.  
Title: CLOSED BATTERY  
Atty's Docket: TAKADA5A

Sir:

Attached herewith is the above-identified application for Letters Patent including:

- [ ] Application Data Sheet  
[X] Specification (12 pages), claims (2 pages) and abstract (1 page)  
[X] 4 Sheets Drawings (Figures 1-7)  
[X] FORMAL [ ] Informal  
[X] The inventors of this application are:  
Akiyoshi TAKADA  
Kinji SAIJO  
Kazuo YOSHIDA  
Nobuyuki YOSHIMOTO  
Yoshihiko ISOBE  
[ ] Information Disclosure Statement with SB/08A and \_\_\_ references  
[X] Return Receipt Postcard (in duplicate)

The following statements are applicable:

- [ ] Applicant hereby requests that this application **not** be published pursuant to 35 U.S.C. §122(a). It is certified on behalf of applicant that the invention disclosed in the application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing.
- [ ] Applicant claims small entity status. See 37 C.F.R. §1.27.
- [X] The benefit under 35 USC §119 is claimed of the filing date of Application No. 09/116008 in Japan on April 21, 1997. A certified copy of said priority document was filed in progenitor case PCT JP98/01802 on April 20, 1998. Application No. \_\_\_\_\_ in \_\_\_\_\_ on \_\_\_\_\_. A certified copy of said priority document [ ] is attached [ ] was filed in progenitor case \_\_\_\_\_ on \_\_\_\_\_.
- [ ] The present application claims the benefit of U.S. Provisional Appln. No. 60/\_\_\_\_\_, filed \_\_\_\_\_.

09/918725 "080101"

[X] The present application is a [ ] Continuation [ ] Division [X] Continuation-in-Part of prior Application No. 09/403,385 filed January 6, 2000. Although this application is stated to be a CIP, applicant does not concede that any matter is presented in this application which is not present in the parent.

[X] The application is (or will be) assigned to: (1) TOYO KOHAN CO. LTD whose address is 4-3, Kasumigaseki, 1-chome, Chiyoda-ku, Tokyo 100-8911, Japan and (2) FUKUDA METAL FOIL & POWDER CO., LTD whose address is 176, Nakanonochi, Matsubaradori Muromachi Nishiiru, Shimogyo-ku, Kyoto-shi, Kyoto 600-8435, Japan

[X] Certain documents were previously cited or submitted to the Patent and Trademark Office in the following prior application 09/403,385, which is relied upon under 35 USC §120. Applicants identify these documents by attaching hereto a form PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per Section 1.98(d), copies of these documents need not be filed in this application.

[X] Incorporation By Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

[X] In accordance with 37 CFR 1.53(a) and (b), it is respectfully requested that a serial number and filing date be assigned to this application as of the date of receipt of the present papers. In accordance with the present procedures of the U.S. Patent and Trademark Office, an executed Declaration and the filing fee for the present application will be filed in due course.

[X] **No authorization is given for charging the filing fee at the present time. However, at such time that the declaration is filed, but not before, you are authorized to charge whatever excess fees are necessary (including the filing fee and any extension of time fees then due) to Deposit Account 02-4035, if any such fees due are not fully covered by check filed at that time.**

[X] The attorneys of record for this application and the address will be those of **Customer No. 001444**; i.e., Sheridan Neimark, Reg. No. 20,520; Roger L. Browdy, Reg. No. 25,618; Anne M. Kornbau, Reg. No. 25,884; Norman J. Latker, Reg. 19,963; Iver P. Cooper, Reg. No. 28,005; Jay M. Finkelstein, Reg. No. 21,082; and \*Allen C. Yun, Reg. No. 37,971 (\*Patent Agent) Please send all correspondence with respect to this case to:

**BROWDY AND NEIMARK, P.L.L.C.**  
**624 Ninth Street, N.W.**  
**Washington, D.C. 20001**

Please direct all telephone calls to Browdy and Neimark at (202) 628-5197.

[X] The Commissioner is hereby authorized to credit any overpayment of fees accompanying this paper to Deposit Account No. 02-4035.

Respectfully submitted,  
BROWDY AND NEIMARK, P.L.L.C.

By: \_\_\_\_\_

*Anne M. Kornbau*  
Anne M. Kornbau

Registration No. 25,884

AMK:nmp